



City of Santa Clara

HISTORICAL AND LANDMARKS COMMISSION MEETING MINUTES

Thursday, April 4, 2013 – 7:00 P.M.
CITY COUNCIL CHAMBERS
1505 Warburton Avenue
Santa Clara, CA 95050

Please refer to the Historical and Landmarks Commission Procedural Items guideline for information on all procedural matters.
An audio recording of this meeting is available in the Planning Office for review or purchase the Friday following the meeting.

ITEMS FOR COUNCIL ACTION

The following items from this Historical and Landmarks Commission agenda will be scheduled for Council review following the conclusion of hearings and recommendations by the Historical and Landmarks Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items:

- None

1. CALL TO ORDER

The meeting was called to order at 7:05 p.m.

2. ROLL CALL

Commissioners Present: Chair Brian Johns, Robert Luckinbill, Rosalie Wilson, Kris Motyka, Jeannie Mahan and Jerry McKee

Commissioners Excused: Shawn Hartung

Staff Present: Yen Chen, Associate Planner, and Shaun Lacey, AICP, Assistant Planner II

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Copies of current agendas and staff reports for each of the items on the agenda are available from the Planning Division office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing. Chair Johns reviewed this procedure.

4. DECLARATION OF COMMISSION PROCEDURES

Chair Johns reviewed the Historical and Landmarks Commission procedures for those present.

5. REQUESTS FOR EXCEPTIONS, WITHDRAWALS AND CONTINUANCES

- A. Withdrawals – None
- B. Continuances – None
- C. Exceptions (requests for agenda items to be taken out of order)

6. ORAL PETITIONS/ANNOUNCEMENTS AND COMMUNICATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

Mr. Lou Faria noted that many residents were concerned with the construction activity at 1091 Harrison Street. He requested that the Commission take action to protect this historic resource as there has been no review of the project.

Mr. Chen gave a brief status report on the project and noted that the rehabilitation of the home has been reviewed for compliance with the Secretary of Interior's Standards review. Lorie Garcia noted that the property is a significant property and inquired whether preservation plans were developed to insure the protection of this resource. The Commission discussed the need for the exterior work to be reviewed by the HLC. The Commission commented that projects with historical significance should be brought to the Commission for oversight. The Commission noted their concern that the public had to bring this project to their attention.

The Commission requested a status update on the 1091 Harrison Street Project be scheduled for the May 2nd meeting. The Commission also requested information be brought under a separate agenda item to discuss the criteria when a project is reviewed by the HLC.

ADDITION to April Meeting Minutes re: 1091 Harrison Street Summary Reviewed at June 6, 2013 HLC Meeting

Yen Chen stated, "A number of months ago" (when the owner wanted to upgrade inside and put in foundation) and continued, "at that time, there was no exterior changes mentioned to property." Lorie Garcia stated, "This is a HABS property and is very important...will you be insuring that the home owner understands the conditions...." Yen Chen replied, "conditions from the report is incorporated in the drawing set....staff has been working with homeowner." Lorie Garcia continued to stress the importance of the property and said, "This is a very visible and extremely important property. Will you bring that then (the design) to the commission once you have set plans to have a public hearing or are you going to keep all the review at staff level?" Yen Chen stated, "Extent of work is consistent with past actions that was handled at staff - foundation, and some basically repair... This is consistent of what staff reviews and in line with the Sec. of Interior's Standards." Then, Lou Faria, Head of The Old Quad Resident's Assoc, stated, "there is exterior work when foundation work is done - specifically the porches." Yen Chen answered, "If it is much more extensive, such as redesigning a porch, yes, those items would be coming before you, affecting the primary historical elements."

7. CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Historical and Landmarks Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Historical and Landmarks Commission meeting when the Chair calls for these requests during the Consent Calendar review.

7.A. Approval of Historical and Landmarks Commission Minutes for the meeting of February 7, 2013.

Motion/Action: The Commission approved the Minutes of February 7, 2013 meeting (4-0-2-1, Wilson and Luckinbill abstaining, Hartung absent).

7.B. Approval of FY 2013-14 Commission Budget

Mr. Chen gave a brief overview of the proposed budget. Mr. Chen noted that there is no carry over of the budget from year to year. Mr. Chen also noted that the Commission should first requested staff support prior to establishing a work program that would be funded by the Commission Budget. Commissioner Motyka inquired about the request to update General Plan Appendix of Historically Significant Properties. Mr. Chen noted that this work item is scheduled to be completed by staff in November.

Motion/Action: The Commission approved FY 2013-14 Commission Budget (6-0-0-1, Hartung absent).

*****END OF CONSENT CALENDAR*****

8. PUBLIC MEETING ITEMS

8.A.	File No.(s):	PLN2013-09691
	Location:	1593 Lexington Street, a 11,325 square foot parcel located at northeastern corner of Lexington Street and Lincoln Street (APN: 269-26-012). Property is zoned Medium-Density, Multiple-Family Residential (R3-36D).
	Applicant / Owner:	Fawzy Ismail
	Request:	Conversion of a basement to habitable living space within a structure that is located within 100 feet of a qualified historic resource
	CEQA Determination:	Categorically Exempt per CEQA Section 15303
	Project Planner:	Shaun Lacey, AICP, Assistant Planner II
	Staff Recommendation:	Determine that the proposed conversion has no effect on the historic integrity of nearby historic resource or its historic context; Approval of the project design, subject to conditions

Notice: The notice of public meeting for these items was posted within 300 feet of the site and was mailed to property owners within 300 feet.

Discussion: Shaun Lacey, Assistant Planner II, gave a brief overview of the proposed project. He noted that the property is not listed on the City's historic inventory. Lorie Garcia commented that the multi-family zoning is from the era of redevelopment. She noted that Austin Warburton had lived at this location as a child, and that the densification of the home to 6 or more bedrooms may potentially impact the existing and surrounding properties. Mr. Lacey noted the property is zoned for multiple-family residential which supports a single family with accessory unit, duplex or multiple family residences. Mr. Lacey in response to Commissioners Johns inquiry noted that the structure is not being elevated.

Mr. Fawzy Ismail, Owner, was present for the discussion and did not initially address the Commission. Charles Tucker, adjacent property owner, commented that three years ago there was action taken by the City on buildings constructed in the back yard. He commented that it should be responsibility of city inspectors to keep an eye on infractions. Mr. Tucker commented the lack of upkeep and code violations does affect the entire neighborhood. He noted that the adjacent historical properties are being impacted by activities at the site. He noted that the property looks like a business is being run from this site. He commented that city staff needs to look beyond the basement improvements when review this proposal. Commissioner Motyka

commented that complaints from neighbors on the condition of the yard do affect the value of adjacent buildings and impacts the neighborhood.

Mr. Fawzy Ismail stated that the mess at the property will be corrected. He noted that the garage is in poor condition and needs to be fixed. Mr. Ismail noted that he will be proposing a second unit once the correction to the basement is resolved. Commissioner Motyka noted that a stop work order was issued 6 years ago for work without permits and that the permit system noted that the interior was being gutted. Mr. Fawzy noted that permits were obtained and historical doors were re-installed.

Mr. Lou Faria noted the property is historical and needs to be on the City's list. He commented parking is a problem in the neighborhood. He noted that no single family home needs 7 bedrooms and baths. He commented that this proposal will have impacts on the surrounding properties. He stated the property currently lists a business, and the city should check to see if it is in violation. Mr. Faria stated that the yard is a mess and the neighboring property owners have right to request that the yard be cleaned up. Public comment was closed.

The Commission discussed the history of work without permits and past HLC reviews. The Commissioner noted the need to complete a historical survey and evaluation of the property. The Commission stated that the adjacent properties and the immediate neighborhood is negatively impacted by the upkeep of the yard. The Commissioners noted that the tarps, green fence and general upkeep of the yard negatively affect the adjacent properties. The Commission questioned whether there was enough parking on site for the proposed use.

Mr. Lacey stated that parking details were to be followed up with the owner as the project proceeded through the review process. Commissioner Johns commented that details on the parking would be required to complete the application package. Commissioner Motyka noted the resource and the neighborhood has not being protected. The Commission discussed the other items of concern such as the fence and upkeep of the property should be conditioned with the request. Commissioner Luckinbill noted that many of the issues discussed are important, but may not be the purview of the HLC.

Motions/Actions:

It was moved by Commissioner Luckinbill, seconded by Commissioner Wilson and carried (6-0-0-1, Hartung absent) to recommend that applicant to prepare historical survey and evaluation to determine whether the property is eligible as a Qualified Historic Resource.

It was then moved by Commissioner Luckinbill, seconded by Commissioner Wilson and carried (6-0-0-1, Hartung absent) to continue the item subject to the applicant providing details on parking and completion of the historical survey and evaluation.

8.B.	File No.(s):	PLN2013-09657
	Location:	1795 Catherine Street, a 10,055 square foot parcel located at the northeastern corner of Catherine Street and Pierce Street (APN: 269-02-035). Property is zoned Single Family Residential (R1-6L).
	Applicant:	Famed Habeas, Associate AIA Member
	Owner:	Joseph Saab
	Request:	First floor and second story addition to an existing single family residence that is located with within 100 feet of a qualified historic resource
	CEQA Determination:	Categorically Exempt per CEQA Section 15303
	Project Planner:	Yen Chen, Associate Planner

Staff Recommendation: Determine that the proposed addition has no effect on the historic integrity of nearby historic resource or its historic context; Approval of the project design, subject to conditions

Notice: The notice of public meeting for these items was posted within 300 feet of the site and was mailed to property owners within 300 feet.

Discussion: Yen Chen, Associate Planner, gave a brief overview of the proposed project. He reviewed the subdivision of the block and noted that the residence was constructed in 1938. Mr. Chen explained that the existing trees on site are not being impacted by the proposed addition. Lorie Garcia noted that the Pepper Tree in the right-of-way park strip is a Heritage Tree and the Commission should take into consideration this resource.

Mr. Famed Habeas, Architect, commented the intent was to be compatible with the historical resource across the street. Mr. Habeas noted that the Pepper Tree trunk is approximately 25 feet from the house, and the tree canopy is not impacted by the second story addition. Joseph Saab, owner, commented that he will comply with the fence height and location requirements of the City.

Motion/Action:

It was moved by Commissioner Wilson, seconded by Commissioner Luckinbill and was carried (5-0-0-1, Hartung absent) to recommend approval of the project design, subject to conditions.

9. OTHER BUSINESS

9.A. Commission Procedures and Staff Communications

i. Announcements/Other Items

- Request from Lou Faria for the City to install bronze historical marker at the Franck Mansion, 1179 Washington Street
- Lou Faria noted the plaque and Bell award was originally installed on granite. The Bell award was in giving by HLC to best restored house. Mr. Faria noted his concern is that the antique fence would be damaged by people trying to view the plaque.
- It was moved by Commissioner Luckinbill, and second by Commissioner Motyka (6-0-0-1, Hartung absent) to authorize the expenditure, not to exceed \$1,500, to install the plaque in right-of-way with owners input.
- Plaque Placement Process (verbal update)
- Budget memo discusses expenditure for casting and mounting of the plaques. Placement in the public right-of-way requires insurance and encroachment fees.
- Progress on National Historic Preservation Month Activities (May 2013)
- City Proclamation for National Preservation Month
- Walking Tour: Mission Period and Early American Period
- City's web site to advertise Walking Tour and Preservation Month.
- May 20-31st displace case in front of the City Clerk case / Lorie Garcia has materials for case.
- It was moved Commissioner Motyka, and second by Commissioner Wilson (6-0-0-1, Hartung absent) to publish in Weekly advertising the walking tour not to exceed \$300.
- Annual California Preservation Conference, Orange County, May1-3, 2013
- Mr. Chen noted that the conference is rotate between southern and northern California.
- Franklin Post Office Update (Lorie Garcia)

- Lorie Garcia has been involved with the State on closures of Post Office and noted that this is the last commercial building on Franklin Street prior to the redevelopment era.
- Lorie Garcia will prepare historic resource survey and evaluation to determine whether a property is eligible for listing.
- Staff will inform Post Master General when historic survey is prepared.
- Status on Historic Preservation Information (verbal update)
- Mr. Chen noted the draft brochure will be reviewed by the City Planner, and after one more round of edits will be made available at the Permit Center.
- Status on Draft Historical Resources Survey Policy for City Manager Review (verbal update)
- Request was presented to the Director of Planning and Inspection.
- Allow a couple of months for the new City Manager to review the request.
- Santa Clara Fire Museum Update (verbal update)
- Anticipated to be open later this year with the a restored fire truck as a center piece.
- Monthly Report on HT properties: Residential reversions (verbal update)
- None

ii. Report of the Liaison from the Planning and Inspection Department

- City Council and Planning Commission Actions (items attached)
- March 12th Council approved naming of a street without HLC input, however, the report still list this as an HLC responsibilities.

iii. Commission/Board Liaison and Committee Reports

- Santa Clara Arts and Historic Consortium (McKee / Wilson as alternate)
[Fourth Monday of each month at 7:15 p.m. - Headen-Inman House]
- Historic Preservation Society of Santa Clara (Mahan / Luckinbill as alternate)
[Second Friday of each month at 10:00 a.m.- Harris Lass Preserve]
- Commissioner Mahan reported on the Annual Historic Home Tour.
- Expense \$2500, Income \$12,000.
- June 9th Tea and vintage show at Harris Lass
- June 10th is antique appraisal – 476 Tickets sold
- Old Quad Residents Association (Motyka / Johns as alternate)
- Commissioner Motyka noted that the Old Quad Residents Association has concerns on the proposal for a mixed-use development at Monroe Street and Franklin Street.
- Architectural Committee (Mahan / Johns as alternate)
- Agnews Historic Cemetery Museum Committee (Wilson / Luckinbill as alternate)
- BART Committee (Johns / McKee as alternate)
- Change title to High Speed Rail/Bart
- General Plan Steering Committee (Motyka / Wilson Alternate)
- Change to Zoning Ordinance Update

iv. Commission Activities

- Commissioner Travel and Training Reports

v. Upcoming Agenda Items

- Preservation Month Activities Update – May 2, 2013
- 1091 Harrison Street Status Report – May 2, 2013
- General Procedures on when items are to be brought to Commission – May 2, 2013

- 1196 Jackson street – Mills Act – May 2, 2013
- Franck Mansion Plaque – June 2013
- Review of Street Name List – August 1, 2013
- Annual Review of City-Owned Historic Properties – August 1, 2013
- Status on Updating General Plan Appendix of Historically Significant Properties – November 2013
- Annual report on matter of document retention – November 2013

10. ADJOURNMENT

The meeting was adjourned at 9:38 p.m. The next regular Historical and Landmarks Commission meeting will be held on Thursday, May 2, 2013 at 7:00 p.m.

Prepared by: 
Yen Chen
Associate Planner

Approved: 
Gloria Sciara, AICP
Development Review Officer

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